WAC 110-15-0003 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

"Able" means being physically and mentally capable of caring for a child in a responsible manner.

"Administrative error" means an error made by DCYF through no fault of the consumer or provider.

"Approved activity" means an activity that a consumer is required to participate in at application and reapplication to be eligible to collect benefits.

"Authorization" means the transaction created by DCYF which allows the provider to claim payment during a certification period. The transaction may be adjusted based on the family need.

"Available" means being free to provide care when not participating in an approved activity under WAC 110-15-0040, 110-15-0045, or 110-15-0050 during the time child care is needed.

"Benefit" means a regular payment made by a government agency on behalf of a person eligible to receive it.

"Calendar year" means those dates between and including January 1st and December 31st.

"Capacity" means the maximum number of children the licensee is authorized to have in care at any given time.

"Collective bargaining agreement" or "CBA" means the most recent agreement that has been negotiated and entered into between the exclusive bargaining representative for all licensed and license-exempt family child care providers as defined in chapter 41.56 RCW.

"Consumer" means the person eligible to receive:
(a) WCCC benefits as described in part II of this chapter; or
(b) SCC benefits as described in part III of this chapter.

"Copayment" means the amount of money the consumer is responsible to pay the child care provider each month toward the cost of child care, whether provided under a voucher or contract.

"Days" means calendar days unless otherwise specified.

"DCYF" means the department of children, youth, and families.

"DSHS" means the department of social and health services.

"Early achievers" means a program that improves the quality of early learning programs and supports and rewards providers for their participation.

"Electronic record" means a record generated, communicated, received, or stored by electronic means for use in an information system or for transmission from one information system to another.

"Electronic signature" means a signature in electronic form attached to or logically associated with an electronic record including, but not limited to, a digital signature, symbol, or process executed by a person with the intent to sign the record.

"Eligibility" means that a consumer has met all of the requirements of:
(a) Part II of this chapter to receive WCCC program subsidies; or
(b) Part III of this chapter to receive SCC program subsidies.

"Eligibility period" means the months for which households are eligible to receive WCCC or SCC program subsidies.

"Employment" or "work" means engaging in any legal, income generating activity that is taxable under the U.S. Tax Code or that would
be taxable with or without a treaty between an Indian Nation and the
U.S. This includes unsubsidized employment, as verified by DCYF, and
subsidized employment, such as:

(a) Working in a federal or state paid work study program; or
(b) VISTA volunteers, AmeriCorps, JobCorps, and Washington Serv-
Ice Corps (WSC) if the income is taxed.

"Existing child care provider" means a licensed or certified pro-
vider who received a state subsidy payment between July 1, 2015, and
June 30, 2016.

"Fraud" means an intentional deception or misrepresentation made
by a person with the knowledge that the deception could result in some
unauthorized benefits to themselves or another person. See RCW
74.04.004.

"Homeless" means homeless as defined by the McKinney-Vento Home-
less Assistance Act of 1987 without a fixed, regular, and adequality
nighttime residence.

"In-home/relative provider" or "family, friends, and neighbors
(FFN) provider" means an individual who is exempt from child care li-
censing standards and is approved for working connections child care
(WCCC) payment under WAC 110-15-0125.

"In loco parentis" means the adult caring for an eligible child
in the absence of the biological, adoptive, or step-parents, and who
is not a relative, court-ordered guardian, or custodian, and is re-
sponsible for exercising day-to-day care and control of the child.

"Infant" means a child from birth to 11 months.

"Living in the household" means people who reside at the same
physical address.

"Lump-sum payment" means a single payment that is not anticipated
to continue.

"Newly eligible consumer" means a consumer that has at least one
full calendar month break in benefit eligibility.

"Night shift" means employment for a minimum of six hours between
the hours of 8 p.m. and 8 a.m.

"Nonschool age child" means a child who is six years of age or
younger and is not enrolled in public or private school.

"Overpayment" means a payment or benefits received by a provider
or consumer that exceeds the amount the provider or consumer is ap-
proved for or eligible to receive.

"Parental control" means a child is living with a biological or
adoptive parent, stepparent, legal guardian verifiable by a legal or
court document, adult sibling or step-sibling, nephew or niece, aunt,
great-aunt, uncle, great-uncle, grandparent or great-grandparent, or
an approved in loco parentis custodian responsible for exercising day-
to-day care and control of the child.

"Preschool age child" means a child age 30 months through six
years of age who is not attending kindergarten or elementary school.

"Private school" means a private school approved by the state un-
der chapter 28A.195 RCW.

"Program violation" means a failure to adhere to program require-
ments, which results in an overpayment.

"Sanction" means deterrent action imposed by the department to
address a program violation finding.

"SCC" means the seasonal child care program, which is a child
care subsidy program described in part III of this chapter that as-
sists eligible families who are seasonally employed in agriculturally
related work outside of the consumer's home to pay for licensed or
certified child care.
"School age child" means a child who is between five years of age through 12 years of age and who is attending public or private school or is receiving home-based instruction under chapter 28A.200 RCW.

"Seasonally available agricultural related work" means work that is directly related to the cultivation, production, harvesting, or processing of fruit trees or crops.

"Second tier eligibility" means an increased income limit for eligible families who reapply before the end of their current eligibility period.

"Self-employment" means engaging in a legal, income-generating activity earned directly from an individual's trade or business that is taxable under the U.S. Tax Code or that would be taxable with or without a treaty between an Indian Nation and the U.S.

"Sign" means placing a name or legal mark on a document by physically writing or using an electronic signature.

"State median income (SMI)" means an annual income figure representing the point at which there are as many families earning more than that amount as there are earning less than that amount. The Census Bureau publishes median family income figures for each state each year, depending on family size.

"TANF" means temporary assistance for needy families, a cash assistance program administered by DSHS.

"Technical assistance" means a strategy that is focused on the resolution of a specific concern or need. This may be in writing or by phone call.

"To the extent of available funds" means one or more of the following:
(a) Limited or closed enrollment;
(b) Subject to a priority list for new enrollees pursuant to applicable state and federal law and as described in WAC 110-15-2210; or
(c) Subject to a waiting list.

"Unintentional" means not done willfully or on purpose.

"Waiting list" means a list of applicants or reapplicants eligible to receive subsidy benefits when funding becomes available.

"WCCC" means the working connections child care program, a child care subsidy program described in part II of this chapter that assists eligible families to pay for child care.

NEW SECTION

WAC 110-15-0215 Infant enhanced rate. Licensed and certified child care providers accepting state subsidy may receive an infant enhancement payment of $90 per month for each infant who is enrolled in their child care and attends at least one day per month.

AMENDATORY SECTION (Amending WSR 18-14-078, filed 6/29/18, effective 7/1/18)

WAC 110-15-0225 Special needs rates—Licensed or certified child care ((facilities)) centers and seasonal day camps. (1) In addition
to the base rate for licensed or certified child care facilities and seasonal day camps listed in WAC ((170-290-0200, DSHS)) 110-15-0200, DCYF may authorize the following additional special needs daily rates which are reasonable and verifiable as provided in WAC ((170-290-0220, DSHS)) 110-15-0220:

(a) **Level 1.** The daily rate listed in the table below:

<table>
<thead>
<tr>
<th>Region</th>
<th>Infants (Birth - 11 mos.)</th>
<th>Toddlers (12 - 29 mos.)</th>
<th>Preschool (30 mos. - 6 yrs not attending kindergarten or school)</th>
<th>School-age (5 - 12 yrs attending kindergarten or school)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Full-Day</td>
<td>Half-Day</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Region 1</td>
<td>$7.30</td>
<td>$3.65</td>
<td>$5.80</td>
<td>$5.45</td>
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<tr>
<td>Region 2</td>
<td>$7.36</td>
<td>$3.68</td>
<td>$5.70</td>
<td>$5.05</td>
</tr>
<tr>
<td>Region 3</td>
<td>$9.75</td>
<td>$8.13</td>
<td>$7.02</td>
<td>$6.82</td>
</tr>
<tr>
<td>Region 4</td>
<td>$11.35</td>
<td>$9.48</td>
<td>$7.95</td>
<td>$7.16</td>
</tr>
<tr>
<td>Region 5</td>
<td>$8.32</td>
<td>$7.16</td>
<td>$6.30</td>
<td>$5.59</td>
</tr>
<tr>
<td>Region 6</td>
<td>$8.18</td>
<td>$7.02</td>
<td>$6.14</td>
<td>$6.00</td>
</tr>
</tbody>
</table>

- (i) Centers in Clark County are paid Region 3 rates;
- (ii) Centers in Benton, Walla Walla, and Whitman counties are paid Region 6 rates;

(b) **Level 2.** A rate greater than Level 1, not to exceed $15.89 per hour.

(2) If a provider is requesting one-on-one supervision or direct care for the child with special needs the person providing the one-on-one care must:

- (a) Be at least 18 years of age;
- (b) Meet the requirements for being an assistant under chapter 110-300 WAC; and
- (c) Maintain daily records of one-on-one care provided, to include the name of the employee providing the care.

(3) If the provider has an exception to care for a child who is age 13 years or older and has special needs according to WAC ((170-290-0220, DSHS)) 110-15-0220, DCYF authorizes the special needs payment rate as described in subsection (1) of this section using the five through twelve year age range for comparison.

**AMENDATORY SECTION** (Amending WSR 22-05-007, filed 2/3/22, effective 3/6/22)

**WAC 110-15-3770 Authorized SCC payments.** The SCC program may authorize payments to licensed or certified child care providers as described in WAC 110-15-0190, 110-15-0200, ((and)) 110-15-0205, and 110-15-0215.
**Rule-Making Order**

**Permanent Rule Only**

CR-103P (December 2017)

(Implements RCW 34.05.360)

**Agency:** Department of Children, Youth, and Families

**Effective Date of Rule:**

- **Permanent Rules**
  - ☒ Other (specify) July 1, 2022
  - (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule?**

- ☒ No

**Purpose:** Establish a **Working Connections and Seasonal Child Care Program** infant rate enhancement of $90 per infant per month for providers who care for infants aged birth to 11 months.

**Citation of Rules Affected by this Order:**

- New: WAC 110-15-0215
- Repealed:
- Suspended:

**Statutory Authority for Adoption:** RCW 43.216.579

**Other Authority:**

**Permanent Rule (Including Expedited Rule Making)**

Adopted under notice filed as WSR 22-09-019 on April 11, 2022 (date).

Describe any changes other than editing from proposed to adopted version:

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

- **Name:**
- **Address:**
- **Phone:**
- **Fax:**
- **TTY:**
- **Email:**
- **Web site:**
- **Other:**
Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.

Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

<table>
<thead>
<tr>
<th>Federal statute:</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal rules or standards:</td>
<td>New</td>
<td>Amended</td>
<td>Repealed</td>
</tr>
<tr>
<td>Recently enacted state statutes:</td>
<td>New</td>
<td>Amended</td>
<td>Repealed</td>
</tr>
</tbody>
</table>

The number of sections adopted at the request of a nongovernmental entity:

| New | Amended | Repealed |

The number of sections adopted on the agency's own initiative:

| New | Amended | Repealed |

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

| New | Amended | Repealed |

The number of sections adopted using:

| Negotiated rule making: | New | Amended | Repealed |
| Pilot rule making: | New | Amended | Repealed |
| Other alternative rule making: | New | Amended | Repealed |

**Date Adopted:** May 27, 2022

**Name:** Brenda Villarreal

**Title:** DCYF Rules Coordinator

**Signature:**

![Signature Image]